

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

2311 RACING LLC d/b/a 23XI RACING, and  
FRONT ROW MOTORSPORTS, INC.,

Plaintiffs,

v.

NATIONAL ASSOCIATION FOR STOCK  
CAR AUTO RACING, LLC, and JAMES  
FRANCE,

Defendants.

Civil Action No. 3:24-cv-886-KDB-SCR

**EMERGENCY MOTION FOR PARTIAL STAY OF INJUNCTION PENDING APPEAL**

Pursuant to Rule 62(c) of the Federal Rules of Civil Procedure, Defendants move this Court to stay its December 18, 2024 Order granting Plaintiffs a preliminary injunction, except for the Court's requirement that NASCAR guarantee entry of two cars from Front Row and two cars from 23XI in each race of the 2025 Cup Series. Doc. No. 74; *see also* Fed. R. App. P. 8(a). As set forth more fully in the accompanying Memorandum, such a stay pending appeal is warranted because: (1) Defendants are likely to succeed on appeal, (2) NASCAR will suffer irreparable harm without a stay of the Court's decision, (3) Plaintiffs would not face substantial harm because the continued enforcement of a partial stay would address each of Plaintiffs' irreparable harm allegations, and (4) the public interest supports a partial stay, as this Court's preliminary injunction forces NASCAR into unwanted contractual relationships with Plaintiffs.

The grounds for this Motion are more fully set forth in the accompanying Memorandum of Law.

Dated: December 19, 2024

Respectfully submitted,

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**ARTIFICIAL INTELLIGENCE (AI) CERTIFICATION**

I hereby certify the following:

1. No artificial intelligence was employed in doing the research for the preparation of this document, with the exception of such artificial intelligence embedded in the standard on-line legal research sources Westlaw, Lexis, FastCase, and Bloomberg;
2. Every statement and every citation to an authority contained in this document has been checked by an attorney in this case and/or a paralegal working at his/her direction as to the accuracy of the proposition for which it is offered, and the citation to authority provided.

This the 19<sup>th</sup> day of December, 2024.

*/s/ Christopher S. Yates*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing **EMERGENCY MOTION FOR PARTIAL STAY OF INJUNCTION PENDING APPEAL** was electronically filed using the Court's CM/ECF system, which will automatically send notice of filing to all parties of record as follows:

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This the 19<sup>th</sup> day of December, 2024.

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